

AMENDMENTS

A. IN THE CLAIMS:

Please cancel claims ~~48, 62, 69~~ and ~~70~~ without prejudice.

Please enter the following amended claims:

C1
Am
D1
1. (Twice amended) An *in vitro* method for determining the effect of an agent on cell proliferation using cells containing a *Renilla* luciferase polypeptide or a polynucleotide encoding a *Renilla* luciferase, comprising

lysing the cells that have been contacted with an agent suspected of modulating cell proliferation to form a lysate; and

comparing the light emission data from the lysate in the presence of the agent to the light emission data from the lysate in the absence of the agent, wherein a difference in light emission data is indicative of an effect on cell proliferation.

C2
Am
D1
18. (Three times amended) An *in vitro* method for determining cell proliferation of a cell or population of cells comprising:

lysing cells containing a *Renilla* luciferase polypeptide or a polynucleotide encoding a *Renilla* luciferase; and

obtaining light emission data from the lysate *in vitro* over a period of time wherein a change in light emission data is indicative of a change in cell proliferation.

C3
Am
D1
31. (Twice amended) An *in vitro* method for determining the effect of an agent on cell proliferation, the method comprising:

transfecting a cell obtained from a sample with a vector containing a polynucleotide sequence encoding a *Renilla* luciferase;

lysing the transfected cells that have been contacted with an agent suspected of modulating cell proliferation to form a lysate; and

C³ *mb* comparing the light emission data from the lysate in the presence of the agent to the light emission data from the lysate in the absence of the agent, wherein a difference in light emission data is indicative of an effect on cell proliferation.

C⁴ *mb* 63. (Three times amended) An *in vitro* method of screening mammalian cells containing a *Renilla* luciferase polypeptide or a polynucleotide encoding a *Renilla* luciferase to determine their susceptibility to treatment with an agent, comprising:

lysing the cells that have been contacted with an agent suspected of modulating cell proliferation to form a lysate; and

measuring light emissions from the cells in the presence and absence of the agent, wherein a difference in light emissions is indicative of the cells' susceptibility to treatment with the agent.

Please enter the following new claims:

C⁵ *mb* --71. The method of claim 1, wherein the lysing is performed prior to comparison of the light emission data.

72. The method of claim 31, wherein the lysing is performed prior to comparison of the light emission data.

73. The method of claim 63, wherein the lysing is performed prior to comparison of the light emission data.--